

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL PAUL TOPOLL, IV,

Defendant.

CR-08-15-H-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 12, 2022. (Doc. 69.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

On April 12, 2022, Judge Johnston conducted a hearing, on the petition to modify the conditions of supervised release for the Defendant, Michael Topoll's

supervised release to include location monitoring. (Doc. 61.) The government presented the testimony of United States Probation Officer Derek Estep.

Judge Johnston determined that Topoll's supervised release conditions should be amended to include location monitoring. (Doc. 69.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 69) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Michael Paul Topoll's supervised release conditions should be amended to include the following new condition:

a. Topoll shall participate in a radio frequency monitoring program for up to 120 days, as directed by the United States Probation Office. Topoll must pay part or all of the costs of the monitoring program as directed by the probation office.

DATED this 10th day of May, 2022.

Brian Morris

